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Docket No. AMENDMENT TRANSMITTAL LETTER **SPINE 3.0-447 CONT** Filing Date Examiner Art Unit Application No. February 4, 2004 3733 10/771,597-Conf. #3441 M. C. Hoffman Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico Invention: INSERTION TOOL FOR USE WITH INTERVERTEBRAL SPACERS TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims Highest Remaining Number Number Extra Claims After Previously Amendment Paid Present Rate 50.00 0.00 20 0 **Total Claims** 11 Х Independent 0 0.00 2 3 200.00 х **Claims** Multiple Dependent Claims (check if applicable) Other fee (please specify): TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00 **Small Entity** x Large Entity x No additional fee is required for this amendment. Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed. A check in the amount of \$ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. | X | The Director is hereby authorized to charge and credit Deposit Account No. | 12-1095 as described below. A duplicate copy of this sheet is enclosed. x Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: July 22, 2008 Brian R. Tomkins Attorney/Agent Reg. No.: 58,550 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337

I hereby certify that this paper (along with any	paper referred to as be	eing attached of enclosed	i) is being deposited with the U.	S. Postal Service of
the date shown below with sufficient postage	as First Class Mail in a	n epvelope addressed to	: MS Amendment, Commission	ner for Patents, P.O
Box 1450, Alexandria, VA 22313-1450.	16-	/ (-		

Dated: July 22, 2008

Signature:

(Brian R. Tomkins)

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Dated: July 22, 2008

Signature: __

__ (Brian R. Tornkins)